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3764

Patent
257/292IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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In re Application of:

Johnny Goldberg

Serial No. 09/672,197

Filed: September 28, 2000

For: STATIONARY EXERCISE
BICYCLE

JUN 8 2001 Unit: 3764

TECHNOLOGY CENTER 3700
Examiner: S. Crow#5/Election
mail
6/12/01RESPONSE TO ELECTION REQUIREMENTCommissioner for Patents
Washington, D.C. 20231

Sir:

Applicant hereby responds to the election requirement mailed May 3, 2001. In that office action, the Examiner identified two distinct species, identified claims 17-35, & 40 as generic, required that the applicant elect one species for prosecution in the pending application in the event that no generic claim is finally held to be allowable, and required applicant to provide a list all claims readable thereon.

Applicant elects the claims drawn to Figure 8 without traverse. A listing of all claims readable thereon, besides the generic claims, includes the following: claims 36-39, 44-45, 50, 51, 53-58. Applicant also submits that claims 41-43 and claims 47-49 are generic claims which are readable on either species identified by the Examiner.

Applicant does not believe that any fees are due at this time but the Commissioner is authorized to charge Deposit Account No. 12-2475 for any fee deficiency.

Respectfully submitted,

LYON & LYON, LLP

Dated: 6-4-01

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PATENT TRADEMARK OFFICE

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(37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

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